

At an L.A.S. Trial Term, Part <sup>48</sup> of the Supreme Court of the State of New York, held in and for the County of Kings, at the Courthouse, located at Civic Center, Borough of Brooklyn, City and State of New York, on the 23 day of February 2016.

P R E S E N T :

Hon. PARNOW

Justice

ROSSACK FUND II LP

Plaintiff(s)

Cal. No. 12

Index No. 44329/07

- against -

CARLOS LUIS TOLEDO, CLAUDETTE BOOTH  
et al.

Defendant(s)

The following papers numbered 1 to read on this motion

Papers Numbered

Notice of Motion - Order to Show Cause

and Affidavits (Affirmations) Annexed

Answering Affidavit (Affirmation)

Reply Affidavit (Affirmation)

... Affidavit (Affirmation)

Pleadings - Exhibits

Stipulations - Minutes

Filed Papers

Based on all the papers submitted and oral argument on the record before this court, PLAINTIFF'S MOTION (sequence no. 20) TO HOLD CLAUDETTE BOOTH IN CONTEMPT IS ~~HEAR~~ ADJOURNED TO MAY 3, 2016 AT 9:30 a.m. At which time the court will hold a HEARING TO DETERMINE WHETHER CLAUDETTE BOOTH IS IN CONTEMPT. THE TEMPORARY RESTRAINING ORDER ISSUED BY THE COURT ON FEBRUARY 17, 2016 SHALL REMAIN IN EFFECT PENDING THE CONTEMPT HEARING. PLAINTIFF'S MOTION (sequence no. 21) IS GRANTED AND THE CLERK OF THE COURT IS DIRECTED TO REJECT ANY APPLICATION SEEKING TO AFFECT THE FORECLOSURE SALE OF 3221 CHURCH AVENUE, BROOKLYN, NY CONDUCTED ON DECEMBER 17, 2015.

MG

MD

Motion Seq. #

E N T E R

see page 2

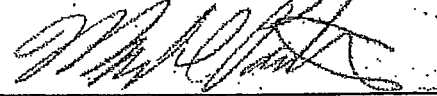
J.S.C.

Page 1 of 2

PAGE 2INDEX# 44329/02DATE 2-23-16PLAINTIFF ROCK VS DEFENDANT TOLSON/ECOTT

OR WHICH SEeks TO Affect ROCK'S FUND  
 II LP'S RIGHTS AS OWNER OF 3221 Church  
 Avenue Brooklyn, NY, WITHOUT PAID LEAVE OF  
 THE HONORABLE MARK E. PATINON, CLAUDETTE  
 BASTIE, TONY A. HENRY AND ANY OTHER PERSON WITH  
 NOTICE OF THIS ORDER ARE HEREBY PROHIBITED  
 FROM FILING ANY MOTIONS, APPLICATIONS, ORDERS TO  
 SHOW CAUSE OR ANY OTHER REQUESTS FOR RELIEF  
 IN ANY COURT OTHER THAN THE SUPREME COURT  
 OF KINGS COUNTY WHICH SEEK TO Affect  
 ROCK'S FUND II LP'S RIGHTS AS THE OWNER OF THE  
 PROPERTY LOCATED AT 3221 Church Avenue,  
 Brooklyn, NY, WITHOUT PRIOR PERMISSION OF HIS ROCK.

ENTERED/SO ORDERED



JSC

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Civil Court of the City of New York  
 County of Kings  
 Part: Part O, Room: 505  
 Date: February 22, 2016



Index #: LT-006075-16/KI  
 Motion Seq #: 1

### Decision/Order

Claudette Boothe  
 Petitioner(s)  
 -against-  
 Rossrock Fund II LP; James Ross; Gil Castro; Jaspan  
 Schlesinger LLP  
 Respondent(s)

Present: Bruce E. Scheckowits  
 Judge

Recitation, as required by CPLR 2219(A), of the papers considered in the review of this OSC for:  
 restoring to the calendar for trial on a date certain

#### PAPERS

#### NUMBERED

Notice of Motion and Affidavits Annexed  
 Order to Show Cause and Affidavits Annexed  
 Answering Affidavits  
 Replying Affidavits  
 Exhibits  
 Stipulations  
 Other

*note: any new case brought into must take from the calendar*  
 2/22/16  
 2 order of Justice Part now dated 3/1/16  
 2 Ct order dated 2/18/16

Upon the foregoing cited papers, the Decision/Order in this Motion is as follows:

*Put's*  
 3/4/16 ~~OTSC~~ OTSC is denied and based on the 2 Sup Ct orders the notation restoring put to full possession forthwith pursuant to order dated 2/18/16 is stricken as the court order after inquest dated 2/18/16 is also vacated as ~~the~~ respondent was short served and therefore could not appear. Therefore as the ~~3rd~~ <sup>5th</sup> ~~sub~~ <sup>sub</sup> ~~was~~ <sup>was</sup> insufficient the original OTSC ~~to~~ in lieu of petition is also denied w/o pre to a new case with proper service *Maria R...*

Date:

Generated: February 18, 2016

Judge, Civil/Housing Court